

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION

4 IN RE: UBER TECHNOLOGIES, INC.,
5 PASSENGER SEXUAL ASSAULT
6 LITIGATION

Case No. 3:23-md-03084-CRB

7 This Document Relates to:

8 *WHB 3 v. Uber Technologies, Inc., et al.*,
9 No. 3:24-cv-05061-CRB

**[PROPOSED] ORDER REGARDING
DEFENDANTS UBER TECHNOLOGIES,
INC., RASIER-LLC, AND RASIER-CA,
LLC'S MOTION TO DISMISS FOR LACK
OF SUBJECT MATTER JURISDICTION
AND REQUEST FOR ORDER TO SHOW
CAUSE REGARDING ATTORNEYS'
FEES**

[PROPOSED] ORDER

Having considered Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction and Request for Order to Show Cause Regarding Attorneys' Fees, the Court finds that Plaintiff asserts no federal claims and that diversity jurisdiction does not exist. The Court also finds that Plaintiff has filed a separate lawsuit in Hawaii state court against Uber Technologies, Inc. and that it is based on the same alleged January 13, 2020, incident underlying her Complaint filed in this case.

The Court therefore hereby ORDERS that case *WHB 3 v. Uber Technologies, Inc., et al.*, No. 3:24-cv-05061-CRB is DISMISSED WITHOUT PREJUDICE for lack of subject matter jurisdiction.

Additionally, Plaintiff's counsel is ORDERED TO SHOW CAUSE why they should not be required to pay Defendants' reasonable attorneys' fees and costs incurred to defend against Plaintiff's MDL Complaint and file the Motion to Dismiss for Lack of Subject Matter Jurisdiction.

IT IS SO ORDERED.

Dated: _____, 202__

HON. CHARLES R. BREYER
United States District Court Judge